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14 United States of America

15 UNITED STATES DISTRICT COURT

16 FOR THE CENTRAL DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA, )  
18 Plaintiff, ) Case No. CR 11-  
19 v. ) CR 11 00930  
20 DAVID ALMOG )  
21 Defendant. )  
22 \_\_\_\_\_ )

GOVERNMENT'S NOTICE OF REQUEST  
FOR DETENTION OF DEFENDANT  
DAVID ALMOG

[UNDER SEAL]

23 Plaintiff, United States of America, by and through its counsel  
24 of record, hereby requests detention of defendant DAVID ALMOG and  
25 gives notice of the following material factors:

26 \_\_\_\_\_ 1. Temporary 10-day Detention Requested (§ 3142(d))

27 \_\_\_\_\_ on the following grounds:

- a. offense committed while defendant was on release pending (felony trial), (sentencing) (appeal) or on (probation) (parole);
- b. alien not lawfully admitted for permanent residence;
- c. flight risk;
- d. danger to community.

2. Pretrial Detention Requested (§ 3142(e)) because no condition or combination of conditions will reasonably assure against:

- a. danger to any other person or the community;
- b. flight.

3. Detention Requested Pending Supervised Release/Probation Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

- a. Defendant cannot establish by clear and convincing evidence that he/she will not pose a danger to any other person or to the community;
- b. Defendant cannot establish by clear and convincing evidence that he/she will not flee.

4. Presumptions Applicable to Pretrial Detention (18 U.S.C. § 3142(e)):

- a. Title 21 or Maritime Drug Law Enforcement Act ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

1        b. offense under 18 U.S.C. § 924(c) (firearm  
2           used/carried/possessed during/in relation to/in  
3           furtherance of crime), § 956(a), or § 2332b  
4           (presumption of danger to community and flight  
5           risk);  
6        c. offense involving a minor victim under 18 U.S.C.  
7           §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245,  
8           2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-  
9           2252A(a)(4), 2260, 2421, 2422, 2423 or 2425  
10          (presumption of danger to community and flight  
11          risk);  
12       d. defendant currently charged with (I) crime of  
13           violence, (II) offense with maximum sentence of  
14           life imprisonment or death, (III) Title 21 or  
15           MDLEA offense with 10-year or greater maximum  
16           sentence, or (IV) any felony if defendant  
17           previously convicted of two or more offenses  
18           described in I, II, or III, or two or more state  
19           or local offenses that would qualify under I, II,  
20           or III if federal jurisdiction were present, or a  
21           combination of such offenses, AND defendant was  
22           previously convicted of a crime listed in I, II,  
23           or III committed while on release pending trial,  
24           AND the current offense was committed within five  
25           years of conviction or release from prison on the  
26           above-described previous conviction (presumption  
27           of danger to community).  
28

1        5. Government Is Entitled to Detention Hearing  
2                  Under § 3142(f) If the Case Involves:  
3        a. a crime of violence (as defined in 18 U.S.C.  
4                      § 3156(a)(4)) or Federal crime of terrorism (as  
5                      defined in 18 U.S.C. § 2332b(g)(5)(B)) for which  
6                      maximum sentence is 10 years' imprisonment or  
7                      more;  
8        b. an offense for which maximum sentence is life  
9                      imprisonment or death;  
10      c. Title 21 or MDLEA offense for which maximum  
11                      sentence is 10 years' imprisonment or more;  
12      d. instant offense is a felony and defendant has two  
13                      or more convictions for a crime set forth in a-c  
14                      above or for an offense under state or local law  
15                      that would qualify under a, b, or c if federal  
16                      jurisdiction were present, or a combination or  
17                      such offenses;  
18      e. any felony not otherwise a crime of violence that  
19                      involves a minor victim or the possession or use  
20                      of a firearm or destructive device (as defined in  
21                      18 U.S.C. § 921), or any other dangerous weapon,  
22                      or involves a failure to register under 18 U.S.C.  
23                      § 2250;  
24      X f. serious risk defendant will flee;  
25      X g. serious risk defendant will (obstruct or attempt  
26                      to obstruct justice) or (threaten, injure, or

intimidate prospective witness or juror, or attempt to do so).

6. Government requests continuance of \_\_\_\_\_ days for detention hearing under § 3142(f) and based upon the following reason(s):

7. Good cause for continuance in excess of three days exists in that:

DATED: September 29, 2011

Respectfully submitted,

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